



Docket No.: 5079-D1-07-LAV

Gp 11761

24/21
4/2/3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mary Katherine Robinson, et al.

Examiner: Arthur L. Corbin

Serial No.: 09/250,834

Group Art Unit: 1761

Filed: 02/16/99

Date: March 20, 2003

For: Crunchy Chewing Gum

RESPONSE TO OFFICE COMMUNICATION NOTICE OF NON-COMPLIANT
AMENDMENT
(37 CFR 1.121)

Commissioner for Patents
Washington, DC 20231

Dear Sir:

This letter is responsive to the Notice dated 03/12/2003 for which an action deadline of April 12, 2003 was set. Applicants have attached hereto:

1. Copy of the 3/12/2003 Notice;
2. Copy of the previously mailed "Request for Continued Examination (RCE) Transmittal", dated January 15, 2003; and
3. Copy of the previously mailed Amendment dated September 10, 2002.

Applicants' "Request for Continued Examination (RCE) Transmittal" dated January 15, 2003 indicated that the previously submitted Amendment filed September 10, 2002 under 37 CFR 1.116 was to be considered as the 37 CFR 1.114 submission. The 03/12/2003 Notice states that applicant is non-compliant with 37 CFR 1.121 in that the Amendment "does not include a clean version of the replacement paragraph/section" and "does not include a marked-up version of the amended claim(s)".

CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R SECTION 1.8

I hereby certify that this correspondence and any documents referred to as enclosed are being deposited, pursuant to 37 C.F.R. Section 1.8, with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231 on this

20 day of March, 2003. By: Lisa Peters
Lisa Peters

As the enclosed copy of the Amendment mailed September 10, 2002 shows: 1) Applicants did not amend the specification and 2) Applicants had included a marked-up version of the amended claims.

In view of the above, applicants believe this application is in condition for allowance. Favorable action is solicited. If any questions remain, the resolution of which would be advanced by conference (telephonic or personal) with applicants' agent, the Examiner is invited to contact said agent at the telephone or the fax number noted below.

Respectfully submitted,
Mary K. Robinson, et al.

By: Linda A. Vag
Linda A. Vag
Their Agent, Reg. No. 32,071

Date: 03/20/03

Warner-Lambert Company
201 Tabor Road
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FAX: 973-385-3117
Customer No. 29668



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/250,834	02/16/1999	MARY KATHERINE ROBINSON	5079D1-07-LA	2533

29668 7590 03/12/2003

PFIZER, INC.
201 TABOR ROAD
MORRIS PLAINS, NJ 07950

EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 03/12/2003

23

Please find below and/or attached an Office communication concerning this application or proceeding.

RESPONSE DUE
April 12, 2003
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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER NUMBER
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DATE MAILED:

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Notice of Non-Compliant Amendment (37 CFR 1.121)

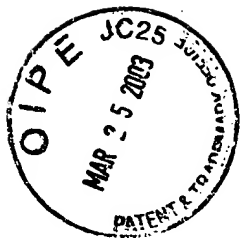
The amendment filed on 1/21/3 is considered non-compliant because it has not been submitted in the format required under 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000 and 1238 O.G. 77, Sept. 19, 2000).

- ☒ The amendment does not include a clean version of the replacement paragraph/section. 37 CFR 1.121(b)(1)(ii)
- ☐ The amendment does not include a marked-up version of the replacement paragraph/section 37 CFR 1.121(b)(1)(iii)
- ☐ The amendment does not include a clean version of the amended claim(s). 37 CFR 1.121(c)(1)(i)
- ☒ The amendment does not include a marked-up version of the amended claim(s). 37 CFR 1.121(c)(1)(ii)

For your convenience, attached to this correspondence is a copy of an informational flyer (MPEP Bookmark Bulletin on "Simplified Amendment Practice").

Applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to submit an amendment in compliance with 37 CFR 1.121, effective March 1, 2001, in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 C.F.R. 1.136(a).

Legal Instruments Examiner



Date Mailed: 1/15/03 Express Mail No. _____
Application No. 09/250,834 Docket No. 5079D1-07-LAV By _____
Application of Mary Robinson et al.
Entitled Crunchy Chewing Gum

The following, due _____ in the U.S. Patent and Trademark Office, has been received there on the date stamped hereon:

- | | |
|--|---|
| <input type="checkbox"/> Specification _____ pages | <input type="checkbox"/> Amendment |
| <input type="checkbox"/> Claims _____ pages | <input type="checkbox"/> Reply |
| <input type="checkbox"/> Abstract _____ pages | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Drawing(s) _____ sheets | <input type="checkbox"/> Brief (3 copies) |
| <input type="checkbox"/> Declaration with <input type="checkbox"/> Power of Attorney | <input checked="" type="checkbox"/> Petition for Extension of Time |
| <input type="checkbox"/> Assignment & Recordation Cover Sheet | <input type="checkbox"/> Filing of Missing Parts |
| <input type="checkbox"/> Letter of Transmittal | <input type="checkbox"/> Express Mail Certificate |
| <input type="checkbox"/> Disclosure Statement _____ References | <input type="checkbox"/> Associate Power of Attorney |
| <input type="checkbox"/> Form PTO-FB-A820 | <input type="checkbox"/> Petition for Expedited Issuance for Foreign Filing License |
| <input type="checkbox"/> Issue Fee Transmittal | <input type="checkbox"/> Provisional Cover Sheet |
| <input type="checkbox"/> Fee Address Indication Form | <input type="checkbox"/> PTO-1390 (DO/EO/US) _____ pages |
| <input type="checkbox"/> Priority Document | <input type="checkbox"/> Form PTO-1050 |
| <input type="checkbox"/> Cert. of Correction under 37 CFR 1.322(a) | <input checked="" type="checkbox"/> Req. for RCE |
| <input checked="" type="checkbox"/> Postal Card Receipt | <input type="checkbox"/> _____ |
| <input type="checkbox"/> _____ | <input type="checkbox"/> _____ |

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